

FILED

JUN 30 2010

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Kiran P. Atwal
1015 5th St SE
Washington DC 20003
202-642-5825
Plaintiff

VS.

CIVIL

Case: 1:10-cv-01111
Assigned To : Roberts, Richard W.
Assign. Date : 6/30/2010
Description: Employ. Discrim.

**JURY
ACTION**

Lawrence Livermore National Security, LLC.,
George Miller
POB 808
Livermore, CA 94551
Defendant;

COMPLAINT

Plaintiff Kiran P. Atwal brings this action against Defendant Lawrence Livermore National Security, LLC (LLNS) and George Miller, in his capacity as CEO of LLNS. Plaintiff, a former employee of LLNS, alleges that Defendants unlawfully discriminated against him on the basis of race in violation of 42 U.S.C. §§ 1981, 1982, 1983, and 1985. From 2006 through 2008, Mr. Atwal repeatedly complained to various members of management about a discriminatory, hostile workplace. Mr. Atwal was subjected to professional and personal abuse by his manager and other members of management. Despite a long established history of excellent appraisals Mr. Atwal was given negative ratings after he complained about being told he "looked like a terrorist" and he should "look for another job" by members of management. Defendant made false statements about Mr. Atwal on performance appraisal and made false accusations about security violations. Mr. Atwal alleges that Defendant impermissibly retaliated against him by suspending him, placing him on disability and subsequently terminating employment. Plaintiff alleges that Defendant made false statements slandering and defaming Mr. Atwal, thereby constituting per se defamation.

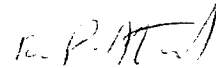
This claim is being filed within 90 days of receipt of the EEOC's "right to sue" notice for the charge numbered 555-2008-00645. All jurisdictional prerequisites for claims under Title VII have now been met.

WHEREFORE, plaintiff, Mr. Kiran P. Atwal, prays that LLNS LLC be cited to appear and answer this complaint and after due proceedings be had, there be judgment herein in his favor and against LLNS for damages as requested herein; for a permanent injunction prohibiting further retaliatory action against him by LLNS; together with all costs and legal interest. Mr. Atwal requests case is held in Federal court because the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between citizens of different States. Mr. Atwal seeks recovery of actual damages - including front and back pay in the amount of \$302,725, compensatory damages for defamation of \$500,000, punitive damages, court costs, and attorneys' fees.

Plaintiff, Mr. Kiran P. Atwal, further prays for a trial by jury on all issues triable

1 by same; and for all and any other such further relief as justice may deem appropriate
2 and require.

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4 Respectfully submitted,

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6 Kiran P. Atwal

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EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Kiran P. Atwal**
1015 5th St Se
Washington, DC 20003

From: **San Francisco District Office**
350 The Embarcadero
Suite 500
San Francisco, CA 94105



On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No

EEOC Representative

Telephone No

555-2008-00645

David A. Turdo,
Investigator

(415) 625-5672

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

[Signature]
 for **Michael Baldonado,**
District Director

04/15/2010
 (Date/Mailed)

Enclosures(s)

cc

Robert Perko
Director of Staff Relations
LAWRENCE LIVERMORE NAT'L LABORATORY
P.O. BOX 808 Mail Stop L-708
Livermore, CA 94551